

~~SECRET~~~~SECURITY INFORMATION~~

10 October 1952

NATIONAL SECURITY COUNCIL DIRECTIVE
ON INTERNAL SECURITY

(Approved by the President on .)

1. The attached report of the Interdepartmental Committee on Internal Security to the National Security Council on "Procedures to Determine Eligibility of Individual Representatives of Foreign Governments to Receive U. S. Government Classified Security Information" is hereby approved.
2. The "Regulations Establishing and Procedures for Determining Eligibility of Certain Representatives of Foreign Governments to Receive U. S. Government Classified Security Information", (Enclosure Number 1 to the said report of the Interdepartmental Committee on Internal Security) and Exhibit "A", attached thereto, are hereby promulgated and shall be binding upon the Executive Departments and Agencies of the United States. Enclosure Number 2 to the same report is attached for information.
3. The Attorney General, upon the request of the head of any Executive Department or Agency affected by these regulations or his duly designated representative, shall, personally or through designated representatives of the Department of Justice, render interpretation of these regulations when necessary to make a determination of eligibility in a particular case.
4. These regulations shall take effect thirty days after the date of the approval of this directive.

NSC Declassification/Release Instructions on File~~SECRET~~~~SECURITY INFORMATION~~

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REPORT TO THE NATIONAL SECURITY COUNCIL

on

PROCEDURES TO DETERMINE ELIGIBILITY OF INDIVIDUAL
REPRESENTATIVES OF FOREIGN GOVERNMENTS TO RECEIVE
CLASSIFIED U. S. GOVERNMENT SECURITY INFORMATIONTHE PROBLEM

To consider the conditions under which individual representatives of foreign governments shall be eligible to receive classified United States Government security information and the need for and nature of procedures for determining such eligibility.

FACTS BEARING ON THE PROBLEM

Federal statutes prohibit the unauthorized release and dissemination of information in the possession of the United States Government which is classified for security reasons. In view of international defense commitments, procedures have been prescribed for the release, under appropriate agreements and safeguards, of classified military information to foreign governments, when in the best interests of the United States, through the State-Defense Military Information Control Committee. Similarly, it has been found necessary to release classified security information to certain individual representatives of foreign governments when a substantial advantage accrues to the United States thereby in the interest of its international relations and the furtherance of mutual defense planning and implementation. No uniform procedure has been established for the security clearance of such representatives.

In cases where classified security information has been released by the United States to representatives of foreign governments, this has usually been done on the basis of a foreign government's sponsorship of 25X1C its representatives. For example, military and civil officers, representing [REDACTED] have

Underlining in this report for emphasis only.

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been made eligible to receive classified security information by virtue of the sponsorship of their governments. These persons are sent to the United States for varying reasons and to perform varying duties. Some of them, for example, are scientists who participate in particular scientific projects; some serve as more or less permanent liaison officers with United States Government departments and agencies; others, in considerable numbers are sent for training in the use of confidential or restricted weapons and techniques in preparation for implementation of mutual defense plans. Foreign representatives may come at the express invitation of the United States agency concerned; others may be selected by and come at the request of their own governments. The duration of their stay may be brief or protracted.

DISCUSSION

The gravity of the consequences of disclosure of classified security information to any person or combination of persons whose interests are inimical to the security of the United States is determinable by the degree of classification assigned to the security information. It is considered that procedures designed to assure as far as possible that foreign representatives are reliable and trustworthy should be employed and that in those cases where the security information to be released to them is classified "Restricted Data", * "Top Secret", * or "Secret"*, the procedures should be more stringent than in those cases where the security information is "Confidential" * or "Restricted" *.

Basically, it would be desirable if classified security information were not released to any alien until the United States had been furnished information respecting him which was equivalent to the results of a full-field investigation. This, however, is deemed impracticable with respect to certain officials such as diplomatic and consular representatives and high ranking, official, civil and military personnel such as cabinet ministers, service chiefs of staff and others of comparable, official status. Security clearance procedures could not be imposed upon foreign governments in their selection of such personnel except to the

* For definitions of classifications see Pages 5 and 6.

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detiment of international relations. It is not intended to imply that classified security information will be disclosed to such officials as a matter of course but only after a determination that carefully considered disclosures would serve the best interests of the United States. It would also be impractical with respect to certain exceptional individuals whom a United States agency invites by name in the interests of the United States to participate in its work. Nevertheless, the trustworthiness of such individuals must be determined so far as practicable prior to issuance of the invitation. Such procedures should not be construed as authorizing the disclosure of such information in contravention of law or regulation. Regulations and procedures herein described should be in addition to and not in lieu of existing regulations. Furthermore, any means additional to those outlined herein, which are available to individual departments or agencies for obtaining further background information regarding any foreign representative, should be exploited to the maximum.

It seems impractical for the United States to determine what agency or official of each foreign government should be responsible for sponsoring and for making the official representation to the United States that the particular individual has been cleared from a U. S. security standpoint. Moreover, it would seem impractical and inadvisable for the United States to specify criteria governing an investigation which foreign governments should make of their representatives, or to prescribe the standards which should be used by the foreign governments in evaluating the results of such investigations. Differing conditions in the various foreign nations preclude the possibility of uniformity in these instances. For example, legal barriers exist in many countries which preclude requiring any individual to submit to having his fingerprints recorded and filed.

Nevertheless, having recognized that security investigative and clearance procedures [REDACTED] are not as comprehensive and thoroughgoing as in the United States, [REDACTED] agreement has been reached and formally subscribed to [REDACTED]. This establishes, in principle, certain minimum standards which, when

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and, if attained, will make the procedures [redacted] comparable to our own. Furthermore, the agreement provides for periodic, mutual inspections of one another's systems in order to stimulate reaching the desired objectives. A copy of [redacted] Agreement is attached hereto as Enclosure 2. It is considered that these undertakings, now that formal approval has been given [redacted]
[redacted] should be given wider application and that other nations should be solicited and encouraged to make the same commitments.

CONCLUSIONS

1. In general, visiting representatives of foreign governments should not receive classified security information of the United States Government solely on the basis of their government's sponsorship. The security of the United States is not adequately safeguarded by general acceptance of representations made by foreign governments. Certain regulations and procedures are, therefore, needed to establish and determine eligibility.

2. The imposition of special procedures should be more stringent in those cases where a foreign representative is to be given highly classified* security information.

3. Because of their special status, the following specific representatives of foreign governments must be subject to special consideration in determining the applicable procedures:

a. Diplomatic and consular personnel.

b. High ranking, official civil and military personnel such as cabinet ministers, chiefs of staff and others of comparable status.

c. Individuals whose special competence warrants an invitation by name by the head of the United States Government department or agency.

4. The acceptance by other nations of the basic principles as are embodied in [redacted] (Enclosure 2) [redacted]

* For definition see Pages 5 and 6.

would be highly desirable.

RECOMMENDATIONS

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1. That the foregoing Conclusions be approved.
2. That Enclosure 1, hereto, entitled "Regulations Establishing and Procedures for Determining Eligibility of Certain Individual Representatives of Foreign Governments to Receive U. S. Government Classified Security Information," together with its attached form, be adopted and that directions for its implementation be issued to all Executive departments and agencies of the United States Government.
3. That the United States should solicit and encourage other nations to subscribe to the basic principles (Enclosure 2) which have been formally agreed upon

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DEFINITIONS

The term "Classified Security Information" as used herein means official information, the safeguarding of which is necessary in the interests of national security and which is classified for such purpose by the appropriate classifying authority in one of the following categories:

There are five categories of classified security information, four of which in descending order of importance to national security carry one of the following designations: "Top Secret", "Secret", "Confidential" or "Restricted" in addition to being specifically identified as "Security Information". The remaining category applies to information classified as "Restricted Data" defined as follows in Section 10(b)(1) of the Atomic Energy Act of August 1, 1946, c.724, 60 Stat. 766; 42 USC, Section 1810(b)(1):

"The term 'Restricted Data' as used in this section means all data concerning the manufacture or utilization of atomic weapons, the production of fissionable material, or the use of fissionable material in the production of power, but shall not include any data which the Commission from time to time determines may be published without adversely affecting the common defense and security."

Of the foregoing, "Restricted Data", "Top Secret Security Information", and "Secret Security Information" are further identified as "Highly Classified Security Information".

The classification "Top Secret" combined with the identification "Security Information" is held at the absolute minimum. Such classification is given only to information which plainly requires the highest degree of protection in the interests of national security. The major criteria for the assignment of this classification is recognition of the fact that unauthorized disclosure of information so classified would or could cause exceptionally grave danger to the national security.

The classification "Secret" combined with the identification "Security Information" is given only to information which requires extraordinary protection in the interests of national security.

The classification "Confidential" combined with the identification "Security Information" is given to such information as requires careful protection in order to prevent disclosures which might harm the national security.

The classification "Restricted" combined with the identification "Security Information" is applied to information having such bearing upon national security as to require protection against unauthorized use or disclosure, particularly information which should be limited to official use.